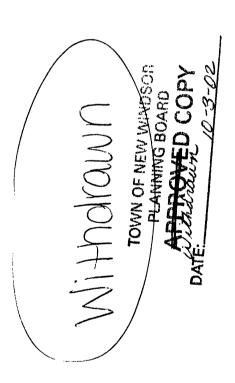
# PB# 99-38

Petro Metals & N.Plank Devel. Inc. (WITHDRAWN) 35-1-102.1



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# NEW WINDSOR ZONING BOARD OF APPEALS The Matter of the Application of MEMORANDUM OF DECISION GRANTING AREA VARIANCE #00-04.

WHEREAS, PETRO METALS, INC., a corporation with a mailing address at P. O. Box 928, Vails Gate, N. Y. 12584, have made application before the Zoning Board of Appeals for a 14 space parking variance in order to construct two buildings on west side of Windsor Highway in an C zone; and

WHEREAS, a public hearing was held on the 28th day of February, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant was represented by Gregory Shaw, P. E.; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

- 1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in <u>The Sentinel</u>, also as required by law.
  - 2. The evidence presented by the Applicant showed that:
- (a) The property is a commercial property located adjacent to other commercial properties on a busy state highway.
- (b) The Applicant proposes to develop the property in accordance with its zoning uses but requests a parking variance in order to do so.
- (c) The Applicant proposes to place two one-story office or retail buildings on the premises. The proposal has been configured to permit the maximum parking which the site affords if the two buildings are constructed.

- (d) If the variance is approved, the Applicant is still subject to site plan approval by the Planning Board before a building permit can be issued.
  - (f) The site would have provided sufficient parking under the Zoning Code which was changed after the project was begotten.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

- 1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
- 2. There is no other feasible method available to the Applicant which can produce the benefits sought.
- 3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted for the reasons listed above.
- 4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
- 5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
- 6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
- 7. The requested variance as previously stated is reasonable in view of the size of the buildings, their location, and their appearance in relation to other buildings in the neighborhood.
- 8. The interests of justice will be served by allowing the granting of the requested area variance.

### NOW, THEREFORE, BE IT

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a variance of 14 spaces to Applicant in order to construct two buildings on the west side of Windsor Highway in a C zone.

### BE IT FURTHER

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 24, 2000.

Chairman

\$12BA 1-24-2000, SET UP FOR P/A

SET UP FOR P/H
OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR ORANGE COUNTY, NY # 2 2 B A 2 2 8 - W APPROVED
NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION
planning board file number: 99-38 Date: 5 JAN 00
APPLICANT: PETRO METAUS INC
P.O. BOX 928
VAILS GATE N.Y 12584
please take notice that your application dated 6 DEC OC
FOR (SUBDIVISION - SITE PLAN)
LOCATED AT WEST SIDE WINDSOR HWY
$_{ m cone}$
DESCRIPTION OF EXISTING SITE: SEC: 35 BLOCK: / LOT: 102.1
IS DISAPPROVED ON THE FOLLOWING GROUNDS:

PARKING SPACE VARIANCE REQ'S.

MANIN SEDSALL PE GO MICHAEL BABCOCK,

BUILDING INSPECTOR

REQUIREMENTS		PROPOSED OR AVAILABLE	VARIANCE REQUEST
zoneuse			
MIN. LOT AREA	40 000 se	87 423 m	
MIN. LOT WIDTH	20011	220 FT	
REQ'D FRONT YD	60FT	144 FT	
REQ'D SIDE YD.	30 FT	30 FT	
REQ'D TOTAL SIDE YD. REQ'D REAR YD.	70 F1 30 F1	70 pr 30 pr	
REQ'D FRONTAGE	NIA	220 FT	
MAX. BLDG. HT. 12 1/21 NO	u = 301	24.6"	
FLOOR AREA RATIO	0.50	0.14	
MIN. LIVABLE AREA	N/.4	~/.4	
DEV. COVERAGE	N/A %	<u>~/a</u> %	<u>,</u>
O/S PARKING SPACES		100	

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT: (914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE



# STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION 4 BURNETT BOULEVARD POUGHKEEPSIE, N.Y. 12603

ROBERT A. DENNISON III, P.E. REGIONAL DIRECTOR

JOSEPH H. BOARDMAN COMMISSIONER

April 5, 2000

Mr. Mark J. Edsall, P. E. Planning Board Engineer Town of New Windsor 555 Union Avenue New Windsor, New York 12553

Dear Edsall:

### RE: STATE ENVIRONMENTAL QUALITY REVIEW

Proposed "Petro Metals / North Plank Development Site Plan 17000 SQFT Retail and Office Space Route 32

Town of New Windsor, Orange County

	This Department has no objection to the Town of New Windsor Planning Board assuming the role of lead agency for this action.
	We have reviewed the Environmental Assessment Form (EAF) and find the estimated number of vehicular trips to be reasonable.
	If a Draft Environmental Impact Statement or Traffic Study is prepared for the proposed project, please forward a copy to us for review.
	Please be aware that a State Highway Work Permit will be required for any curb cuts and/or work within the Route 32 or any New York State Department of Transportation right-of-way.
	Other:
Very Truly You John Camerota Junior Engineer	

( c 14.1=.

# AP ICANT/OWNER PROXY STATEMENT (for professional representation)

# for submittal to the: TOWN OF NEW WINDSOR PLANNING BOARD

• :	it conducts	business
Petro Metals, Inc.	, deposes and says that he resides	
(OWNER)		
at Maharay Lane New Windsor (OWNER'S ADDRESS)	in the County of Orange	•
and State of New York	his corporation and that he is the owner of property tax map	
(Sec. 35 Block 1 I designation number(Sec. Block I	Lot_102.1) Lot) which is the premises described in	
the foregoing application and that he authorizes:		
(Applicant Name & Address, if different fr	om owner)	
Gregory J. Shaw, P.E.		
(Name & Address of Professional Represe	entative of Owner and/or Applicant)	
to make the foregoing application as described the	erein.	
Date: 12/6/99  Jammi L Stell or	Som P. Lets St. Owner's Signature	
Witness' Signature	Applicant's Signature if different than owner	
	Representative's Signature	

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.



### State Environmental Quality Review

### SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)
1. APPLICANT /SPONSOR 2. PROJECT NAME
Petro Metals, Inc.& North Plank Devel. Corp. New Office/Retail Building 3. PROJECT LOCATION:
Municipality Town Of New Windsor County Orange
4. PRECISE LOCATION (Street address and road Intersections, prominent landmarks, etc., or provide map)
West side of Windsor Highway, 400 feet south of Washington Drive
5. IS PROPOSED ACTION:  New Expansion Modification/alteration
6. DESCRIBE PROJECT BRIEFLY:
Construction of a 12,000 S.F. building and a 5,000 S.F. building
for office and retail use
7. AMOUNT OF LAND AFFECTED:
Initially 2.0 acres Ultimately 2.0 acres
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?  Yes No If No, describe briefly
· · · · · · · · · · · · · · · · · · ·
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?  Residential Industrial Commercial Agriculture Park/Forest/Open space Other Describe:
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
Yes No If yes, list agency(s) and permit/approvals
NYSDOT Highway Work Permit
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
Yes No If yes, list agency name and permit/approval
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicant/sponsor name: Petro Metals, Inc. & North Plank Devel. Comps. Dec. 6, 1999
Signature: For Applicant

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

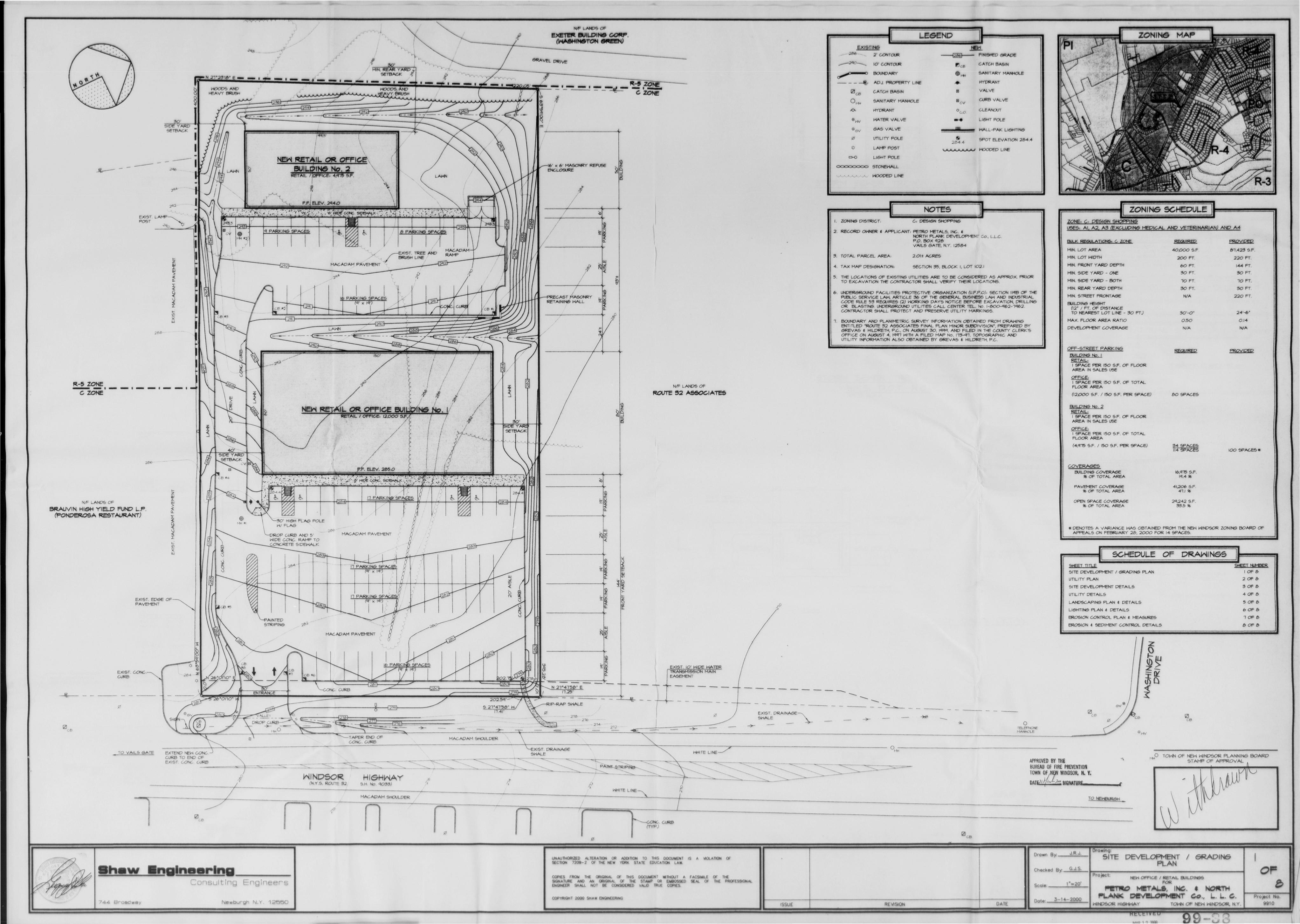
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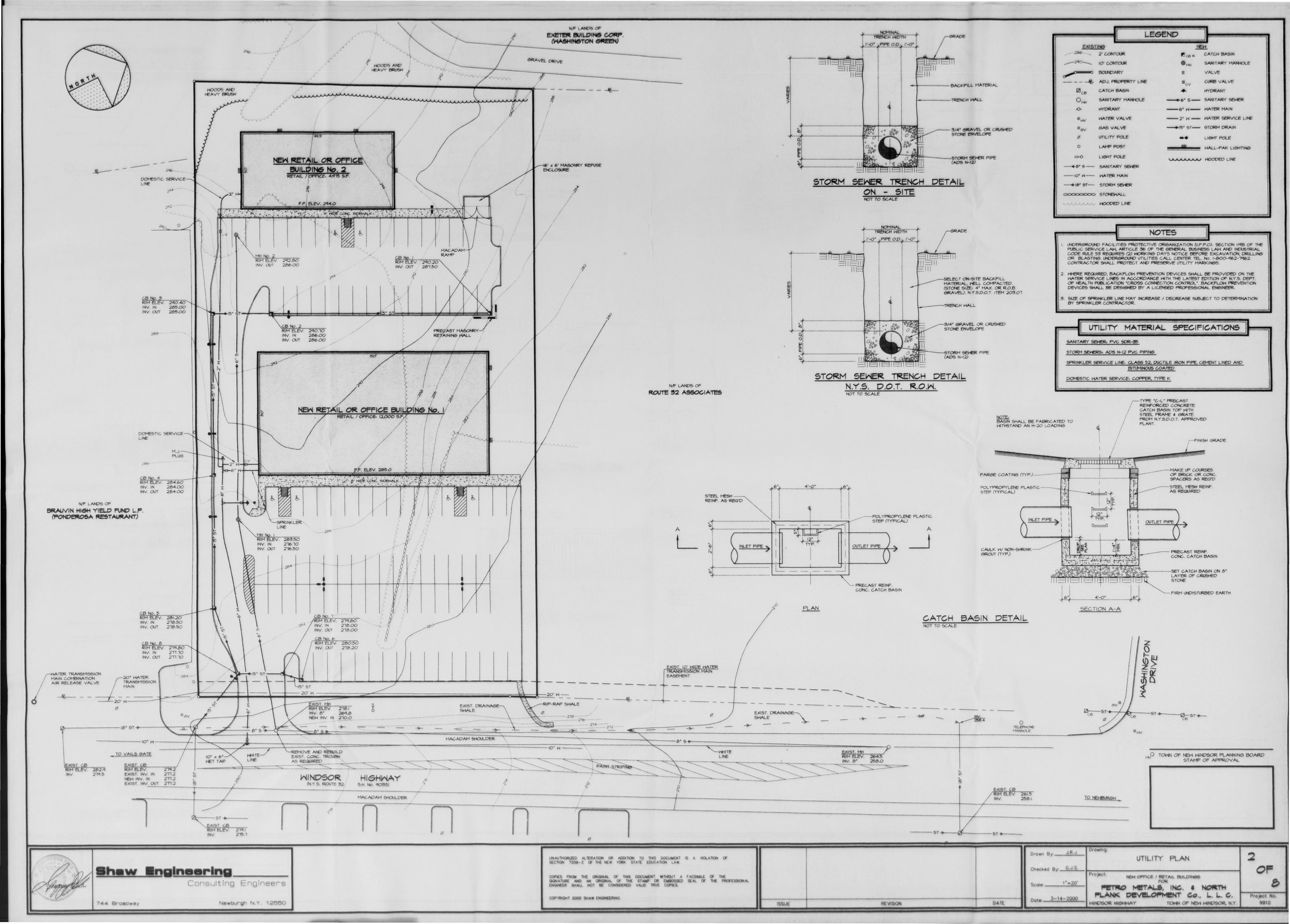
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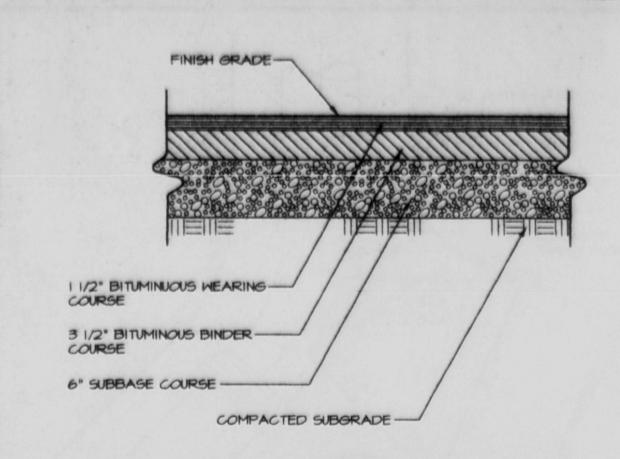
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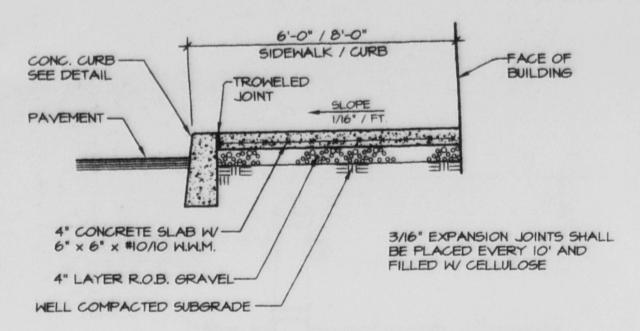
A DOES ACTION EXCEED ANY TYPE ITTRESENDED BY INVERT, PART 617.12? If yes, coordinate the reviews access and use the FULL EAF.  While Action RECENTS COORDINATED REVIEW AS PROVIDED FOR UNISTED ACTIONS IN 6 NYCRR, PART 417.67. If No. a negative declaration may be upgreated by another fundwise degrees, with the part of t	
may be superseded by another irrohod agency.    Ves   Mo   C. COLLP ACTION RESULT IN JANY ADVENSE EFFECTS ASSOCIATED WITH THE FOLLOWING: Answers may be handwritten, if legible)   C. COLLP ACTION RESULT IN JANY ADVENSE EFFECTS ASSOCIATED WITH THE FOLLOWING: Answers may be handwritten, if legible)   C. Editing in quality, authors or groundwater quality or quantity, notice levels, existing traffic patterns, solid waste production or disposal, potential for erosion, desinage of flooding problems? Explain briefly:    NO     C. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:    NO     C. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:    NO     NO     C. Acommunity's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:    NO     NO     C. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.    NO     NO     C. Long term, short term, cumulative, or other effects not identified in C1-C57 Explain briefly.    NO     O. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?     NO     NSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) undersided in explanations contain sufficient detail to show that all relevant adverse impacts have been Identified and deequately addressed.    Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse empronental impacts AND provide on attachments as necessary, the reasons sup	may be supersected by another involved spency.    Yes   No   C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)   C. Editing air quality, wardse or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:    No   C2
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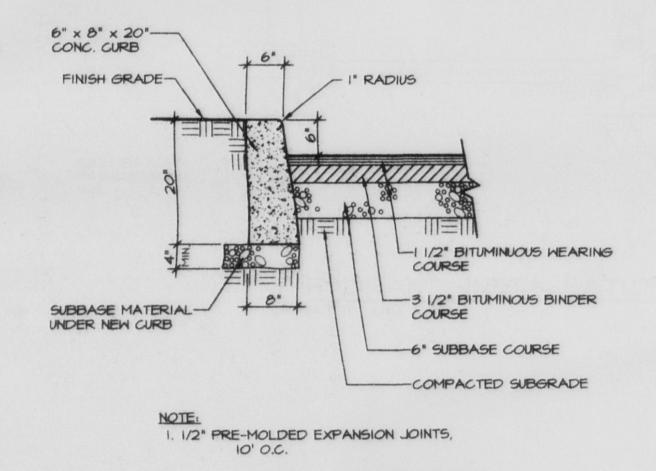




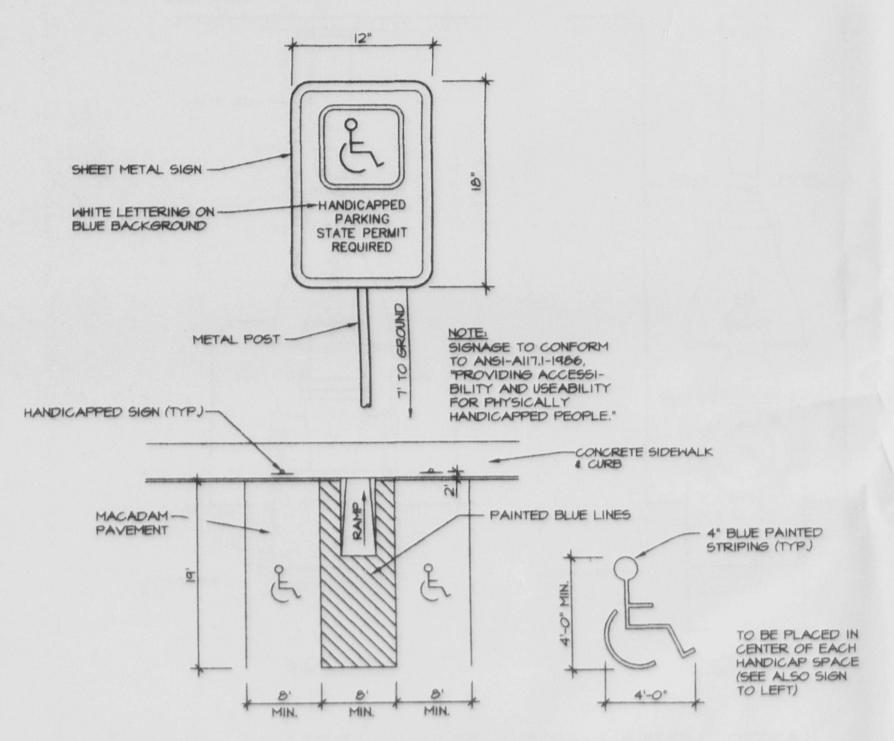
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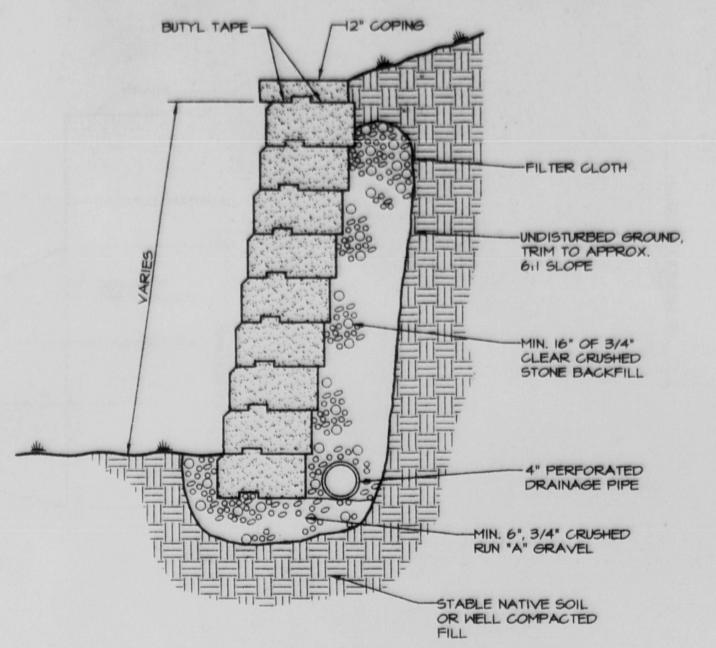
ON - SITE SIDEWALK DETAIL



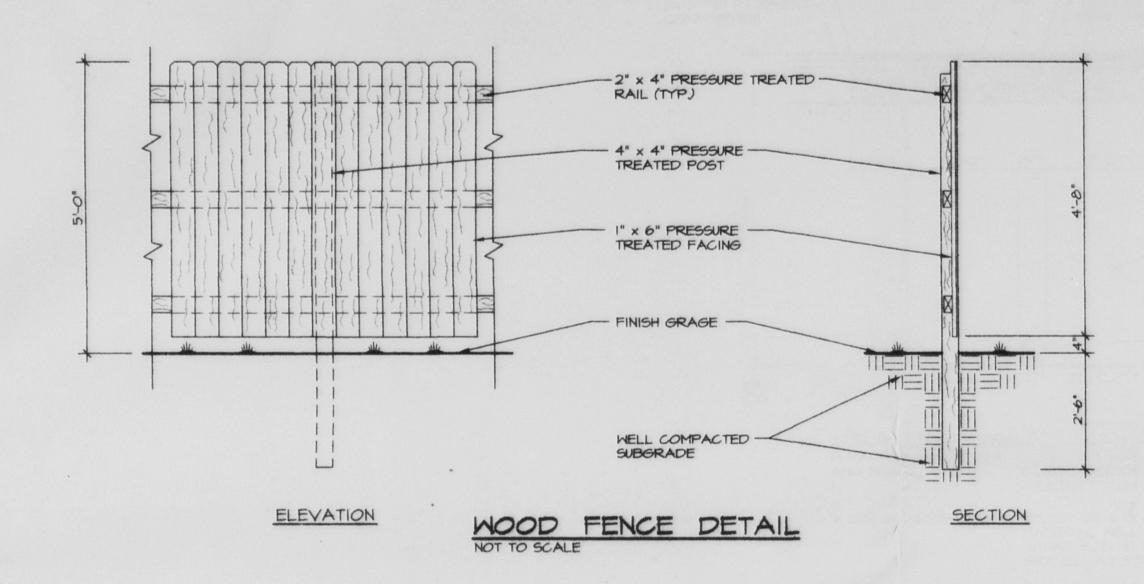
ON - SITE CURB DETAIL

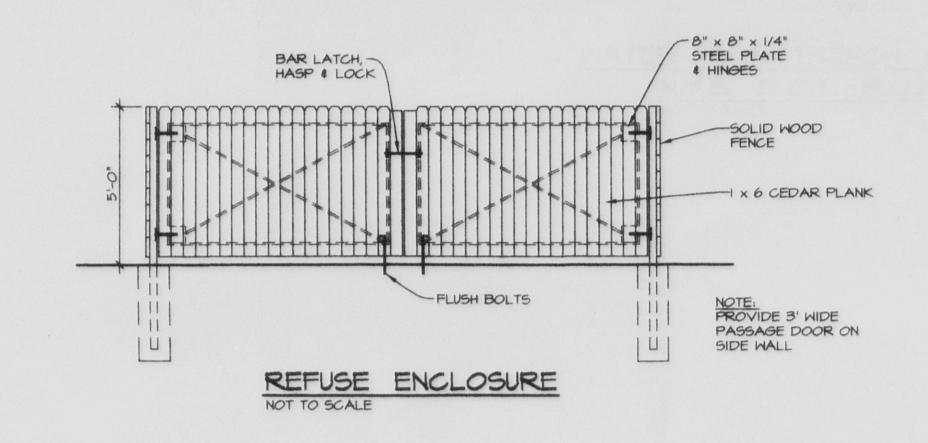


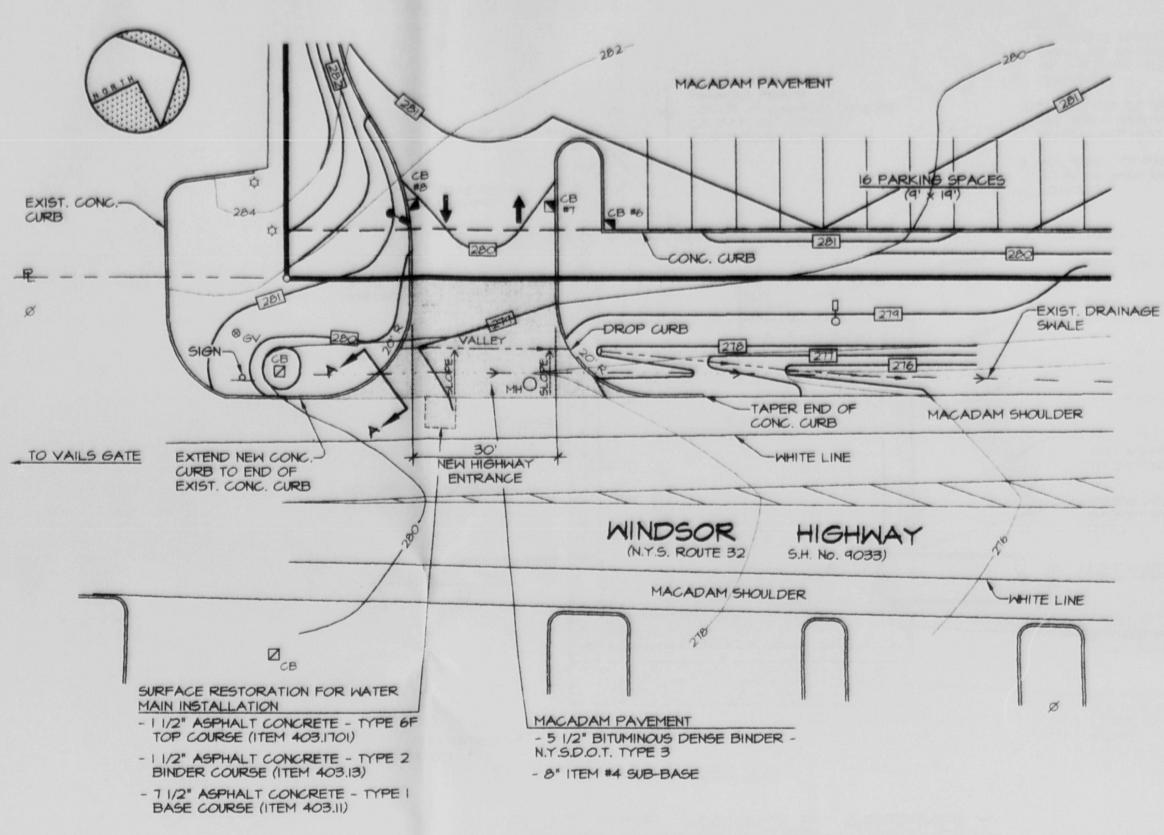
HANDICAPPED SIGN & SPACE DETAIL



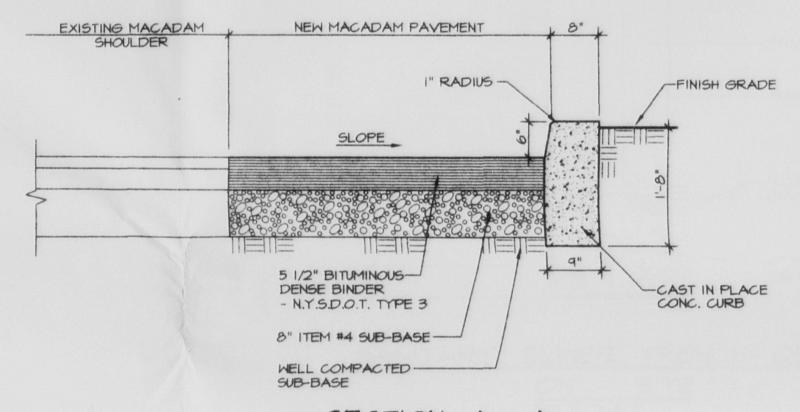
PRECAST MASONRY RETAINING WALL







HIGHWAY ENTRANCE PLAN



SECTION A - A CURB DETAIL - N.Y.S.D.O.T. R.O.W.

TOWN OF NEW WINDSOR PLANNING BOARD STAMP OF APPROVAL

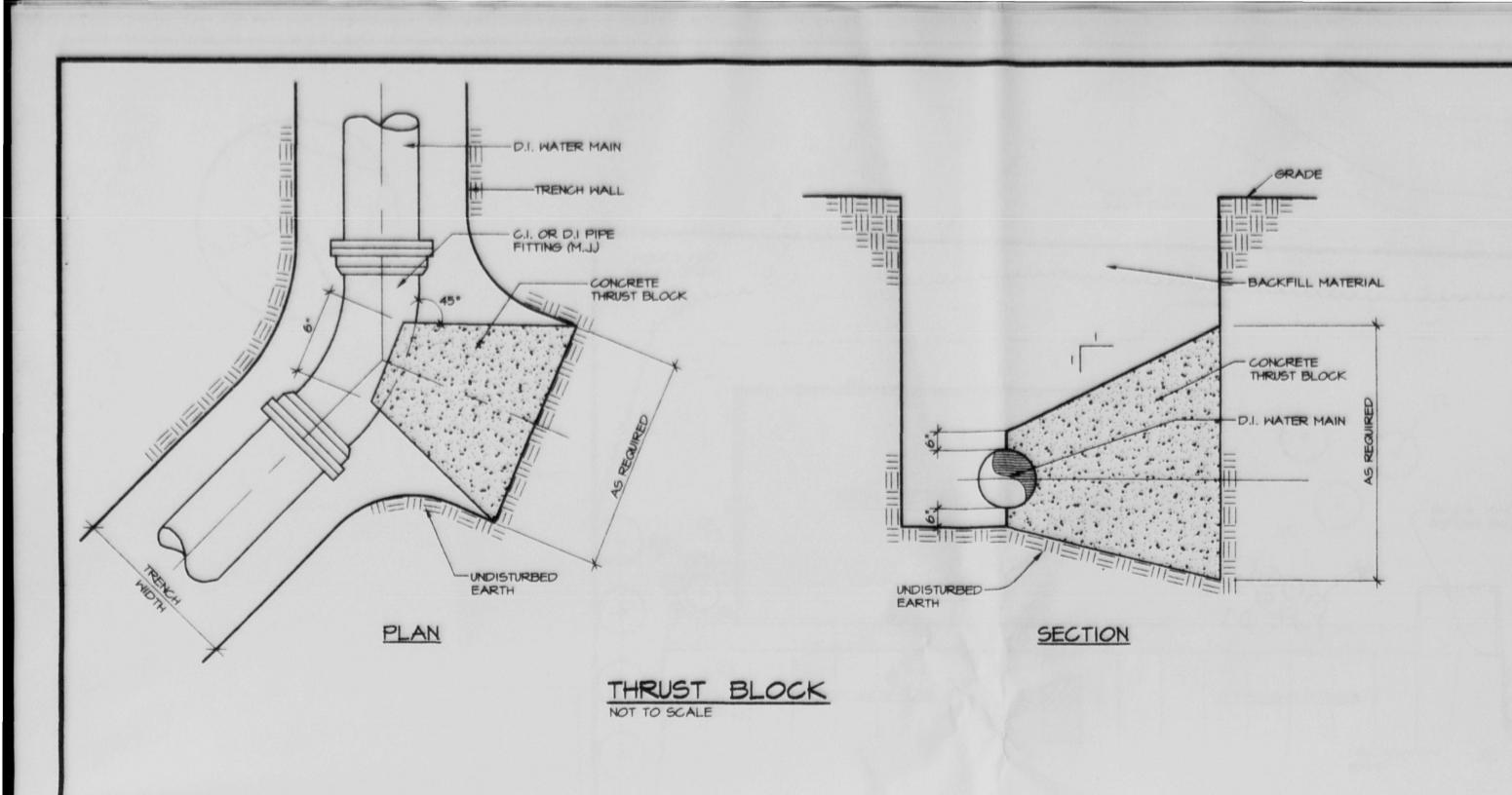


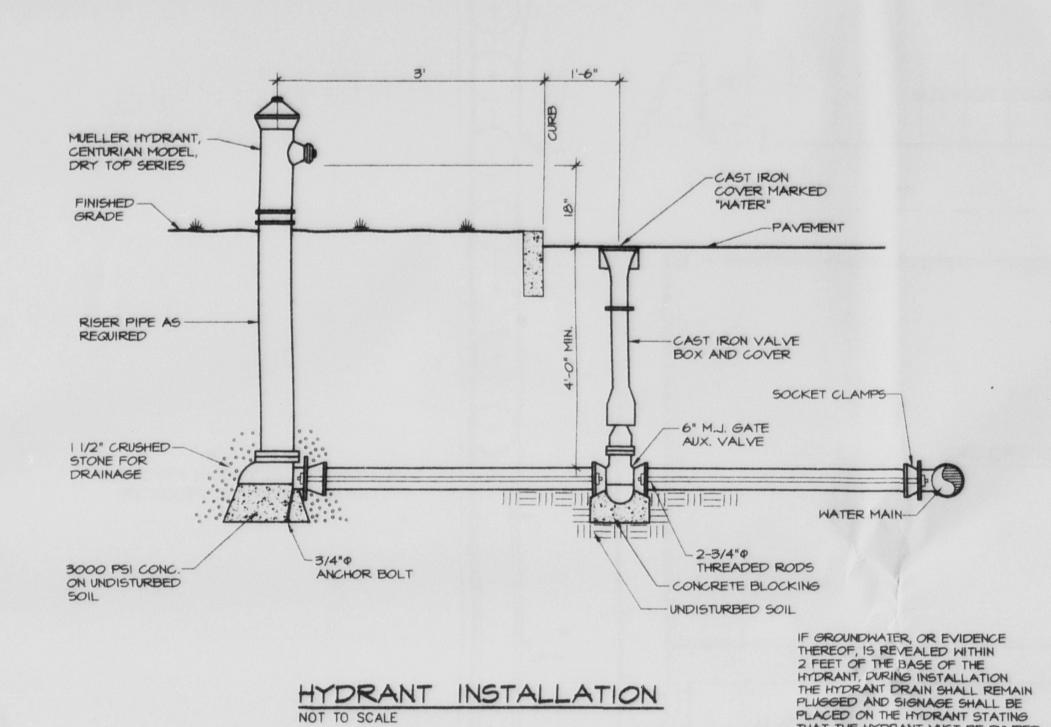
NEW OFFICE / RETAIL BUILDINGS FOR

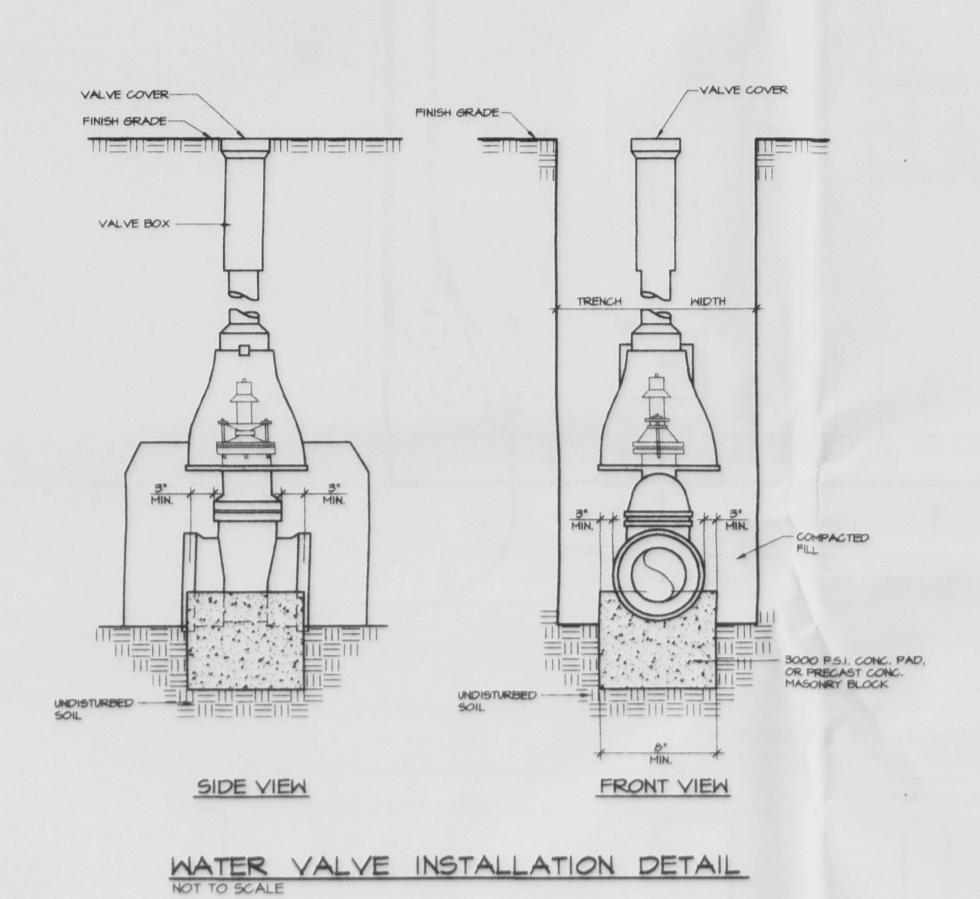
Project No.



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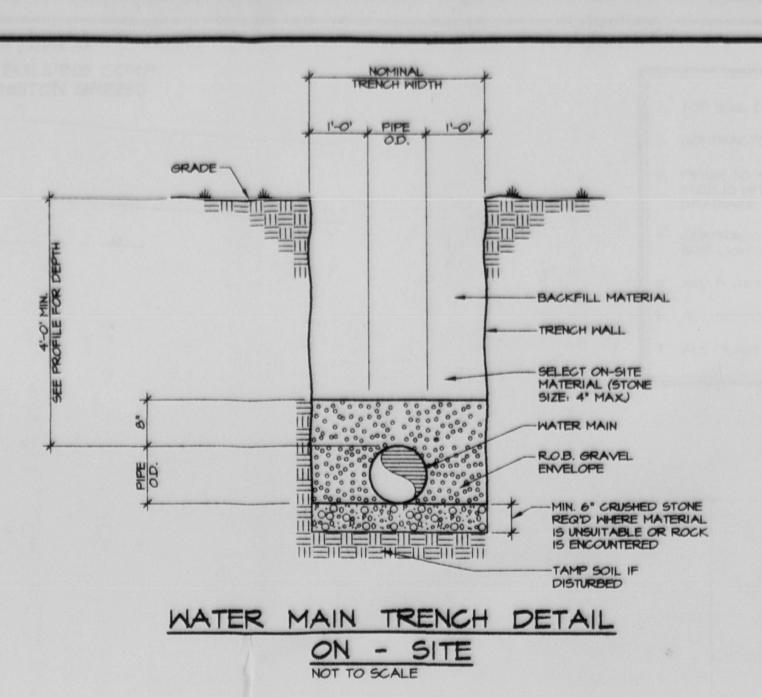


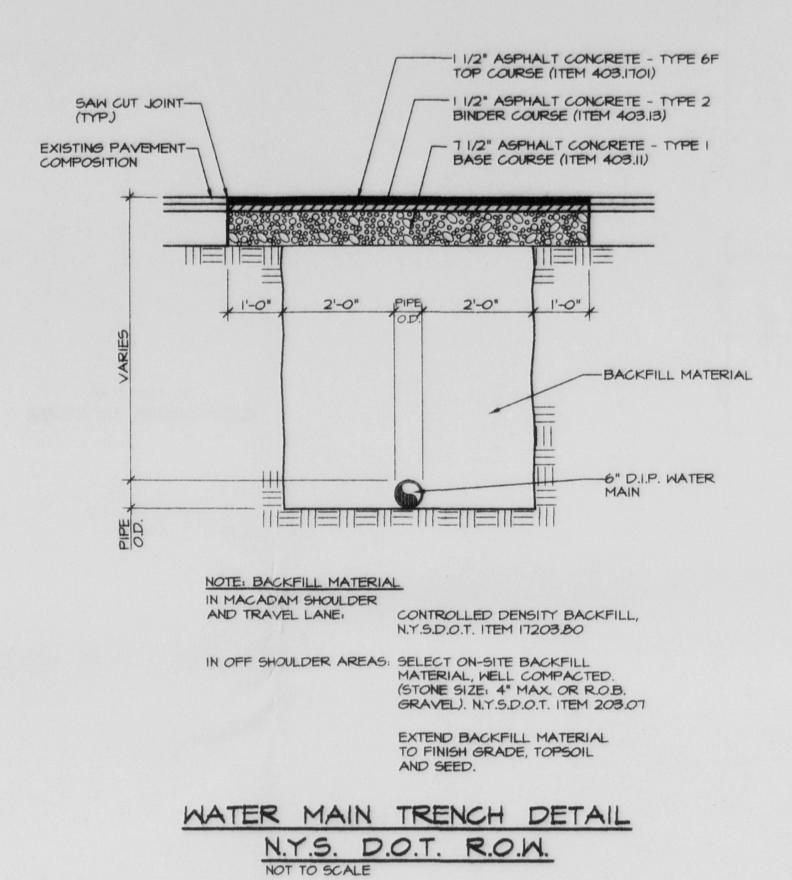


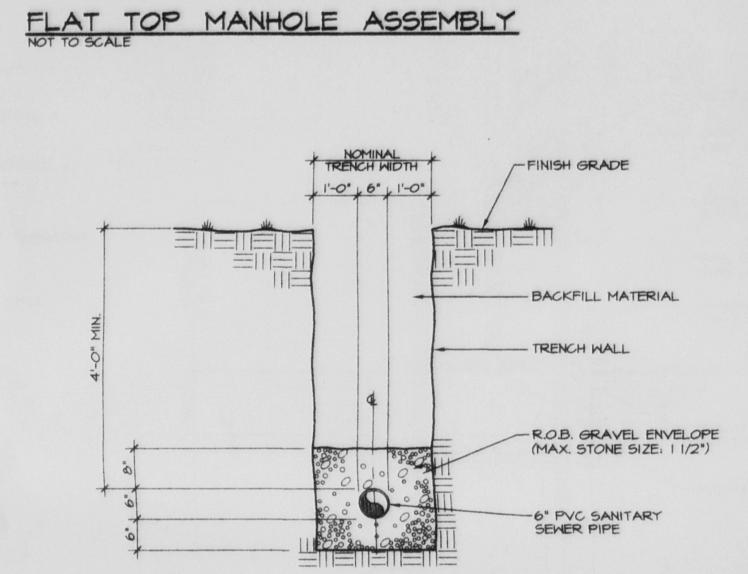


THAT THE HYDRANT MUST BE PUMPED

OUT AFTER USE.







MANHOLE FRAME AND

4'-0"

SECTION

TOP OF FRAME-

MACADAM ---

SET FRAME & GRATE—ON 1/2" THICK BED OF MORTAR (TYP.)

POLYPROPYLENE PLASTIC-

UNDISTURBED -

PARGE COATING-

COVER BY CAMPBELL FNDRY CO. PAT. NO. 1009 (SET FRAME FLUSH W/ GROUND)

NOTES:

1. CONCRETE MANHOLE
SHALL BE AS MANUF'D
BY THE FORT MILLER
COMPANY.

2. M.H. COVER TO HAVE THE TERM "SANITARY SEWER CAST INTO COVER.

3. M.H. SHALL BE FABRICATED TO WITHSTAND AN H-20

SEALANT

PRECAST CONC. RISER SECTIONS TO SUIT INVERT REQ'D

"PRESS WEDGE"

INLET PIPE

GASKET SYSTEM

8" THICK PRECAST

SET PRECAST M.H.

SECTION ON 8"
LAYER OF CRUSHED
STONE

CONC. BASE SECTION

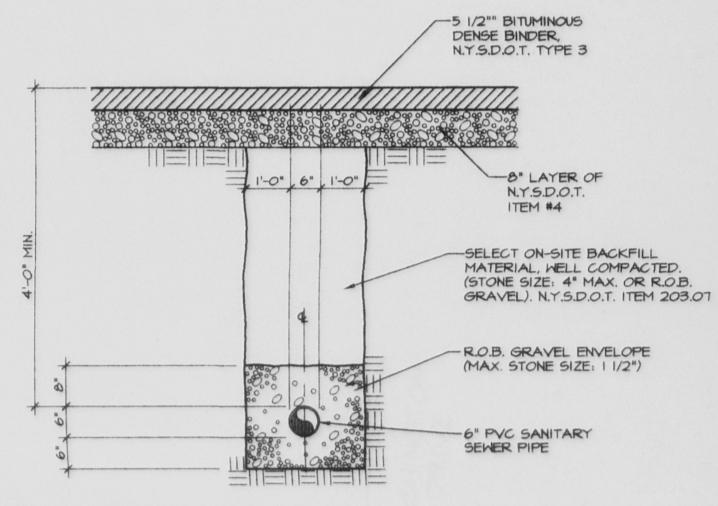
FIELD-FILLED W/ CONC.

AND SHAPED TROUGHS TO SUIT INLETS

- MAKE UP COURSES OF BRICK OR CONC. SPACERS AS REQ'D

LOADING

SANITARY SEWER TRENCH DETAIL ON - SITE



SANITARY SEWER TRENCH DETAIL N.Y.S. D.O.T. R.O.W.

> TOWN OF NEW WINDSOR PLANNING BOARD STAMP OF APPROVAL

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Drawn By: J.R.J. Checked By: G.J.S. Scale: AS SHOWN Date: 3-14-2000 DATE

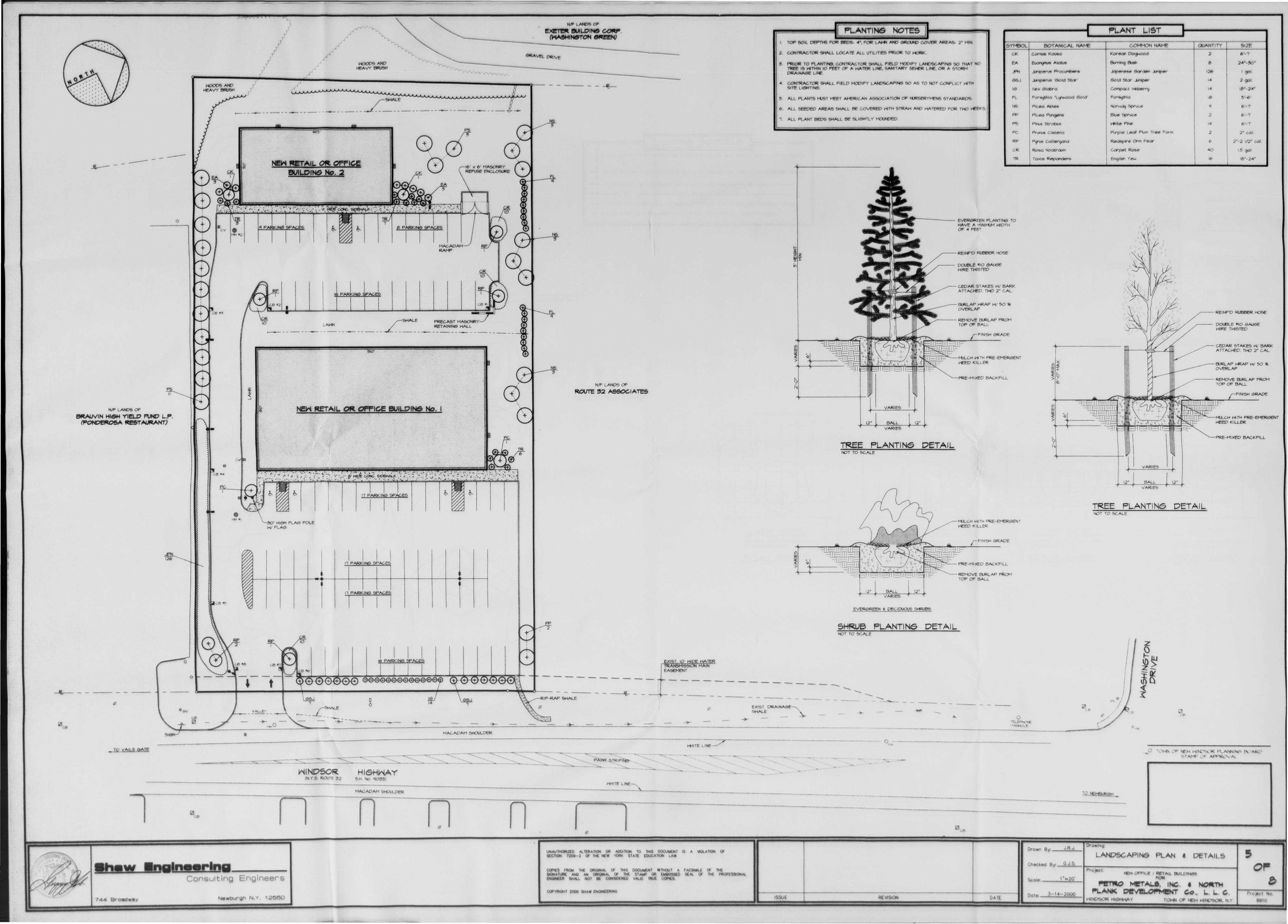
REVISION

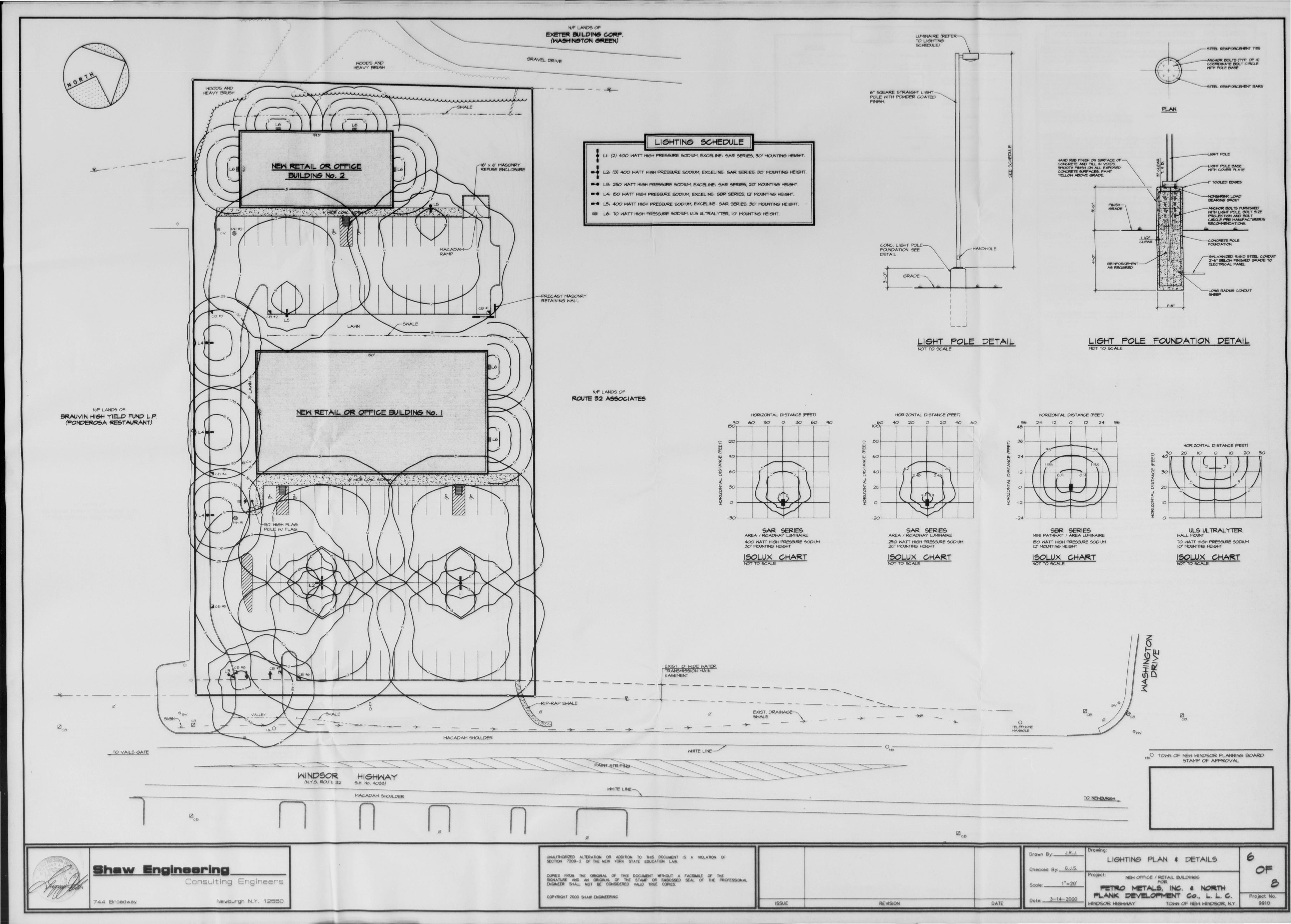
ISSUE

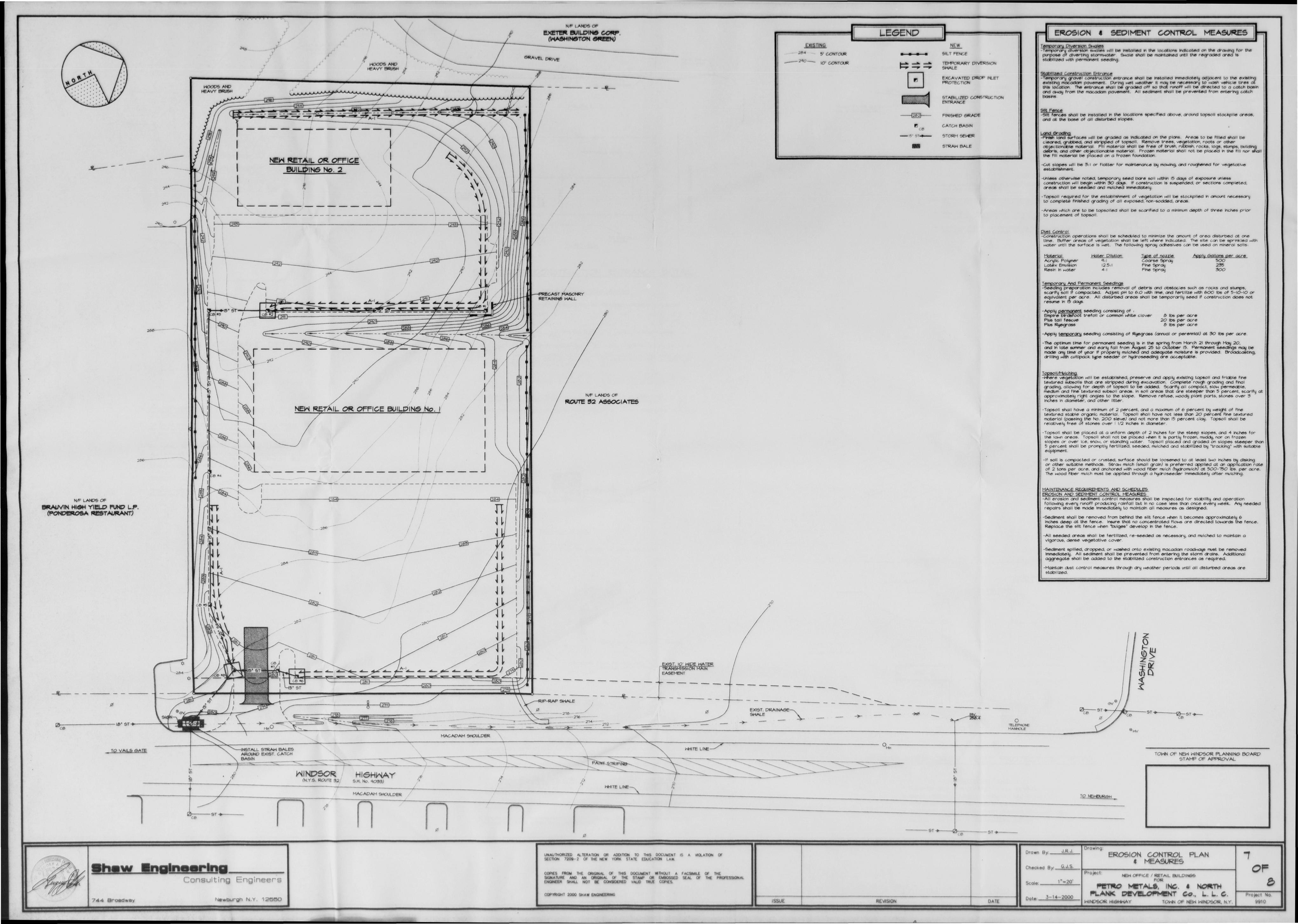
UTILITY DETAILS NEW OFFICE / RETAIL BUILDINGS FOR TOWN OF NEW WINDSOR, N.Y.

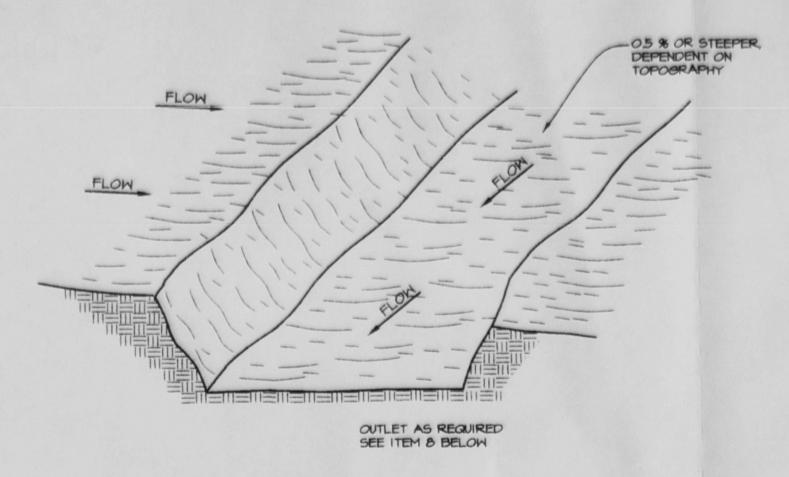
Shaw Engineering Consulting Engineers

Newburgh N.Y. 12550 744 Broadway

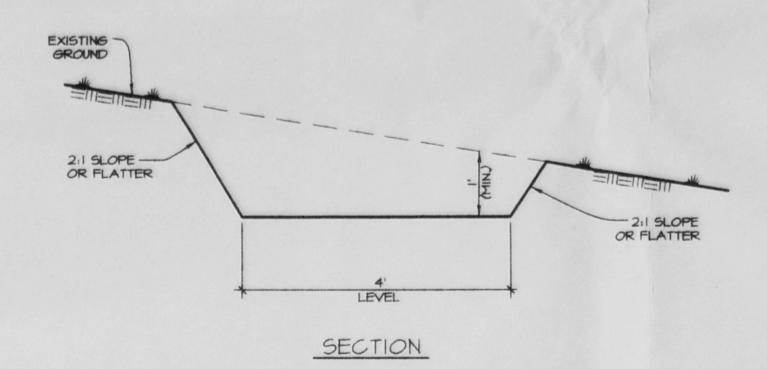








PLAN VIEW



# TEMPORARY SWALE DETAIL

CONSTRUCTION SPECIFICATIONS

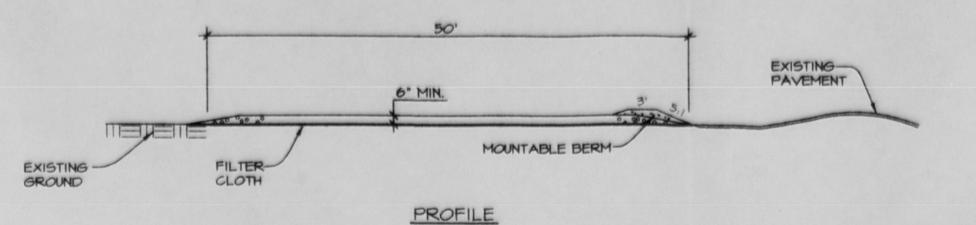
- 1. ALL TEMPORARY SWALES SHALL HAVE UNINTERRUPTED POSITIVE GRADE TO AN OUTLET.
- 2. DIVERTED RUNOFF FROM DISTURBED AREAS SHALL BE CONVEYED TO A STORM INLET SEDIMENT TRAP.
- 3. DIVERTED RUNOFF FROM AN UNDISTURBED AREA SHALL OUTLET DIRECTLY INTO AN UNDISTURBED STABILIZED AREA AT NON-EROSIVE VELOCITY.
- 4. ALL TREES, BRUSH, STUMPS, OBSTRUCTIONS, AND OTHER OBJECTABLE MATERIAL SHALL BE REMOVED AND DISPOSED OF SO AS NOT TO INTERFERE
- WITH THE PROPER FUNCTIONING OF THE SWALE.

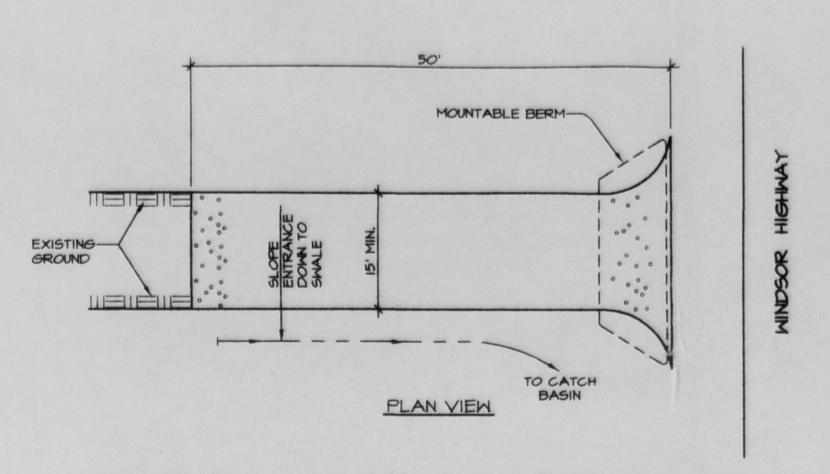
  5. THE SWALE SHALL BE EXCAVATED OR SHAPED TO LINE, GRADE, AND CROSS SECTION AS REQUIRED TO MEET THE CRITERIA SPECIFIED HEREIN AND BE FREE OF BANK PROJECTIONS OR OTHER IRREGULARITIES WHICH WILL IMPEDE NORMAL
- 6. FILLS SHALL BE COMPACTED BY EARTH MOVING EQUIPMENT.
- 7. ALL EARTH REMOVED AND NOT NEEDED ON CONSTRUCTION SHALL BE PLACED SO THAT IT WILL NOT INTERFERE WITH THE FUNCTIONING OF THE SWALE.
- 8. STABILIZATION SHALL BE AS PER THE CHART BELOW:

  TYPE OF CHANNEL SWALE A

  TREATMENT GRADE (5 AC. OR LESS)

  1 0.5-3.0 % SEED AND STRAW MULCH
- 8. PERIODIC INSPECTION AND REQUIRED MAINTENANCE MUST BE PROVIDED AFTER EACH RAIN EVENT.

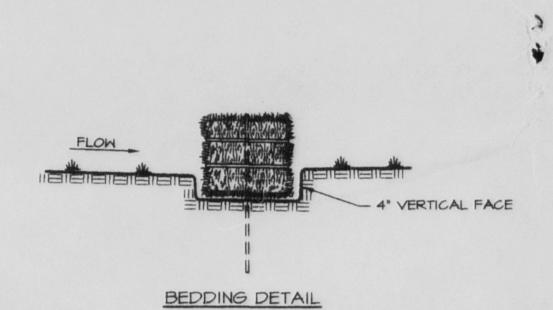




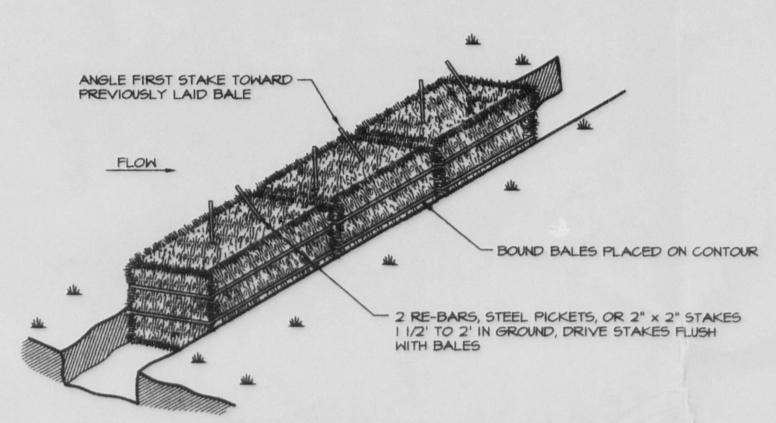
# STABILIZED CONSTRUCTION ENTRANCE DETAIL

### CONSTRUCTION SPECIFICATIONS

- I. STONE SIZE USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
- 2. LENGTH FIFTY (50) FEET
- 3. THICKNESS SIX (6) INCHES.
- 4. WIDTH FIFTEEN (15) FEET, BUT NOT LESS THAN THE PULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
- 5. FILTER CLOTH WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
- 6. SURFACE WATER ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE DIRECTED TO A SWALE DISCHARGING TO A SEDIMENT TRAPPING DEVICE. PROVIDE A MOUNTABLE BERM WITH 5:1 SLOPES.
- 7. MAINTENANCE THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC ROADWAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACTED ONTO ROADWAY MUST BE REMOVED
- 8. WHEN VEHICLE WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
- 9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.



DRAINAGE AREA NO MORE THAN 1/4 ACRE PER 100 FEET OF STRAW BALE DIKE FOR SLOPES LESS THAN 25%

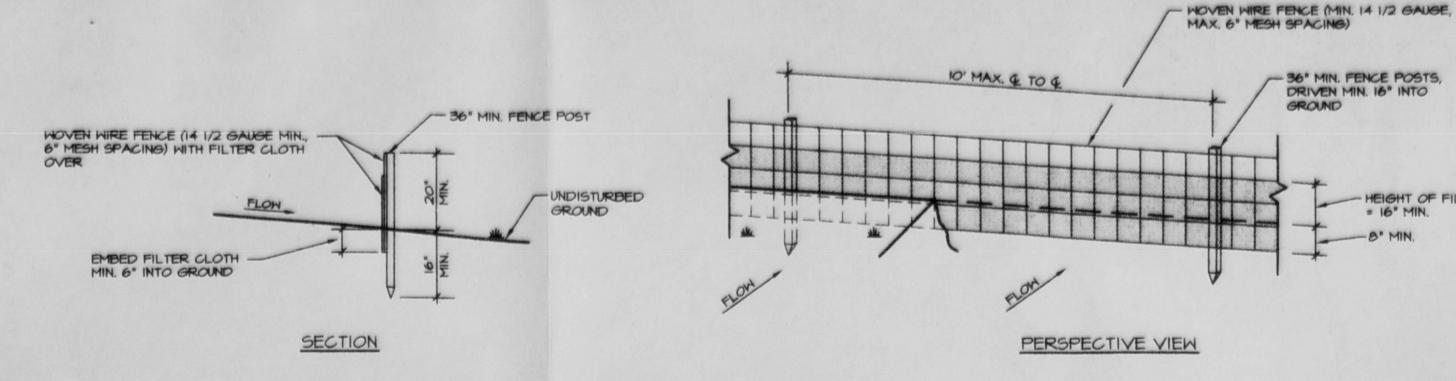


## ANCHORING DETAIL

# STRAW BALE DIKE

CONSTRUCTION SPECIFICATIONS

- I. BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
- 2. EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF (4) INCHES, AND PLACED SO THE BINDINGS ARE HORIZONTAL.
- 3. BALES SHALL BE SECURELY ANCHORED IN PLACE BY EITHER TWO STAKES OR RE-BARS DRIVEN THROUGH THE BALE. THE FIRST STAKE IN EACH BALE SHALL BE DRIVEN TOWARD THE PREVIOUSLY LAID BALE AT AN ANGLE TO FORCE THE BALES TOGETHER. STAKES SHALL BE DRIVEN FLUSH WITH THE BALE.
- 4. INSPECTION SHALL BE FREQUENT AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY
- 5. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.



# SILT FENCE DETAIL

CONSTRUCTION SPECIFICATIONS

I. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.

- 2. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
- 3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
- 4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "EULGES" DEVELOP IN THE SILT FENCE.

STEEL EITHER "T" OR "U"
TYPE OR 2" HARDWOOD

FENCE:

MOVEN WIRE, 14 1/2 GUAGE
6" MAX. MESH OPENING

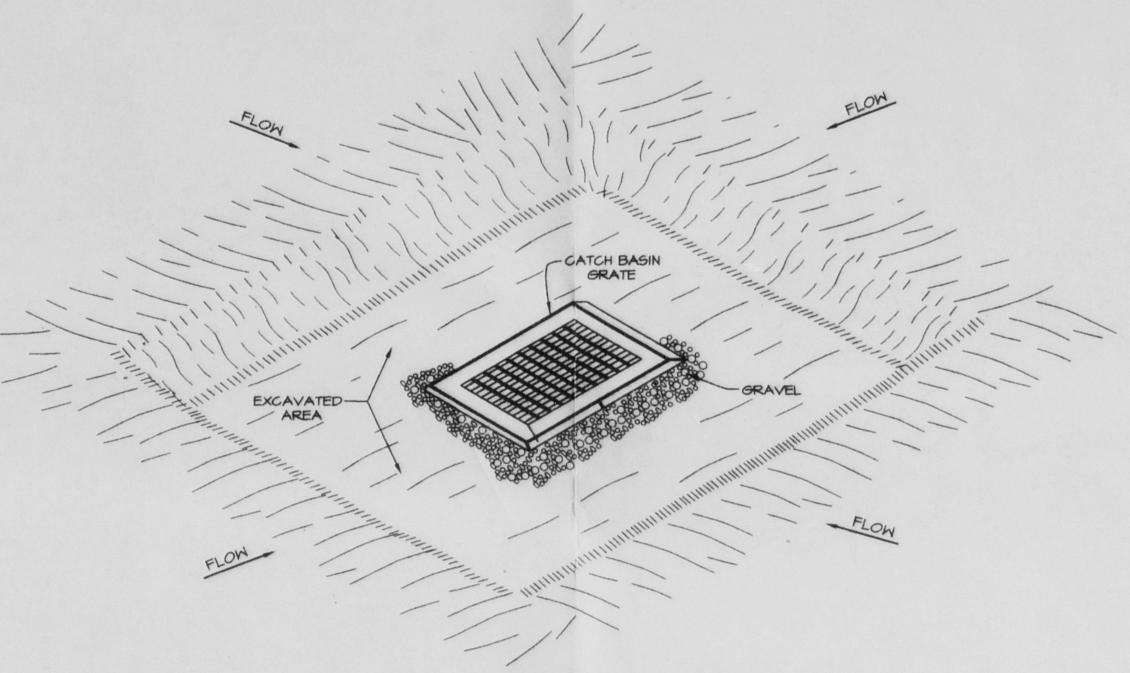
FILTER CLOTH:

FILTER X, MIRAFI 100X,

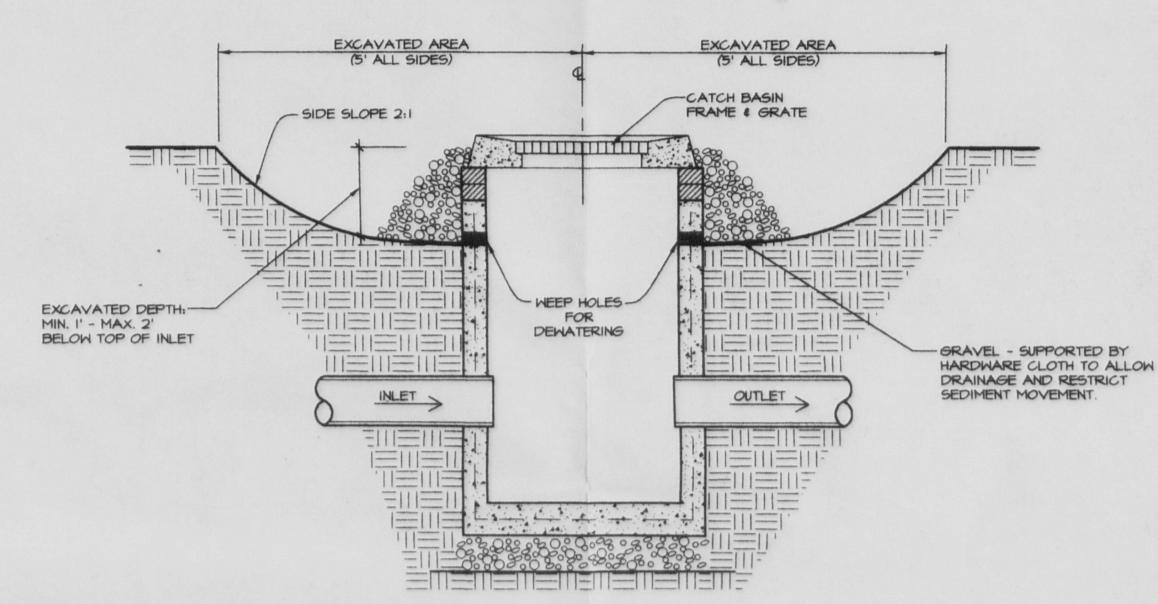
STABILINKA TI4ON OR

APPROVED EQUAL

PREFABRICATED UNIT: GEOFAB, ENVIROFENCE, OR APPROVED EQUAL



# PLAN VIEW



# SECTION

# EXCAVATED DROP INLET PROTECTION DETAIL

CONSTRUCTION SPECIFICATIONS

- I. CLEAR THE AREA OF ALL DEBRIS THAT WILL HINDER EXCAVATION.
- 2. GRADE APPROACH TO THE INLET UNIFORMLY AROUND THE BASIN.
  3. WEEP HOLES SHALL BE PROTECTED BY GRAVEL.
- 4. UPON STABILIZATION OF CONTRIBUTING DRAINAGE AREA, SEAL WEEP HOLES, FILL BASIN WITH STABLE SOIL TO FINAL GRADE, COMPACT IT PROPERLY AND STABILIZE WITH PERMANENT SEEDING.

TOWN OF NEW WINDSOR PLANNING BOARD STAMP OF APPROVAL

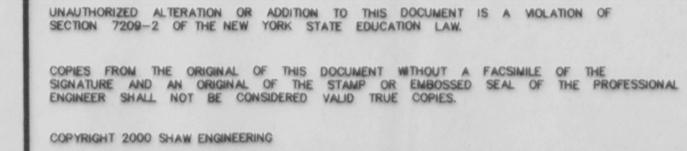


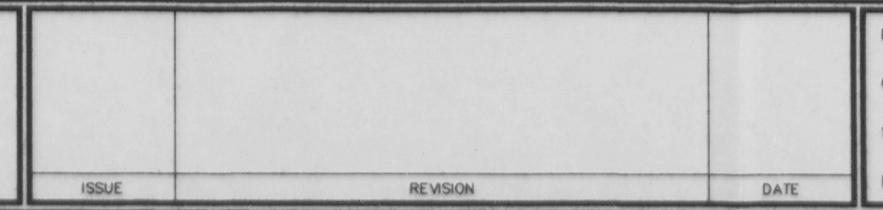
Shaw Engineering

Consulting Engineers

744 Broadway

Newburgh N.Y. 12550





Drawn By: J.R.J.

Checked By: G.J.S.

Checked By: G.J.S.

Project: NEW OFFICE / RETAIL BUILDINGS FOR PETRO METALS, INC. 4 NORTH PLANK DEVELOPMENT Co., L. L. C.

WINDSOR HIGHWAY TOWN OF NEW WINDSOR, N.Y

